

STATE OF WASHINGTON



**OFFICE OF
INSURANCE COMMISSIONER**

**BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF WASHINGTON**

☐ The orders posted here are unverified electronic duplicates of the official orders actually entered. To be certain you have the official version of the order as entered, you should request a hard copy of the official version from the Commissioner's Public Disclosure Officer, Steve Carlsberg, 360-586-0691, or by e-mail: stevec@oic.wa.gov.

In the Matter of)	
)	NO. D 99 - 45
EVERGREEN NATIONAL)	
INDEMNITY COMPANY,)	CONSENT AND ORDER
)	TO PAY FINE
An Authorized Insurer.)	
)	

CONSENT TO ORDER

EVERGREEN NATIONAL INDEMNITY COMPANY hereby consents to the payment of a fine in the sum of \$5,000 for its conduct of the use of disapproved rates in violation of RCW 48.19.040 and RCW 48.19.043(2).

In 1996 EVERGREEN NATIONAL INDEMNITY COMPANY made a commercial automobile casualty filing pursuant to RCW 48.19.040 and RCW 48.19.043. The rate filing was disapproved by letter of August 22, 1996. There was no refiling or further communication on the disapproval for six months and the filing was closed.

In February 1998, pursuant to RCW 48.19.043, the company made a rate filing in which it proposed some factors for rating commercial auto liability insurance. The company, not having an approved commercial auto rate filing, had no approved base rates to which these factors could be applied. This 1998 filing was disapproved by way of letter of March 3, 1998. After some additional exchange of letters, the company, in a letter of July 27, 1998, requested withdrawal of the filing without ever having approval from this office.

Further investigation revealed the company wrote one commercial auto policy with the disapproved rates for a written premium of \$32,749.00.

Based on the foregoing, EVERGREEN NATIONAL INDEMNITY COMPANY recognizes its obligation to adhere to the rules and statutes of the Washington State Insurance Code and does voluntarily consent to the following order with the fine in lieu of any suspension or revocation of its certificate of authority for such conduct.

SIGNED this 20th day of April, 1999.

EVERGREEN NATIONAL INDEMNITY COMPANY

By

An Authorize Representative

Title

ORDER

Pursuant to RCW 48.05.185 and the foregoing Consent to Order, the Insurance Commissioner hereby imposes a fine in the amount of \$5000 upon EVERGREEN NATIONAL INDEMNITY COMPANY.

Such fine shall be paid in full within 30 days from the date of this Order. Upon failure to pay such fine and pursuant to RCW 48.05.185, the Commissioner will revoke the certificate of authority of the insurer, and the fee will be recoverable in a civil action brought on behalf of the Commissioner by the Attorney General.

ISSUED AT OLYMPIA, WASHINGTON, this 21st day of April, 1999.

DEBORAH SENN
Insurance Commissioner

By

MARY M. COTTER
Enforcement Attorney